

**OPINION
49-205**

September 10, 1949 (OPINION)

WELFARE

RE: Duty to Investigate Re Adoptions

Your letter of September 6, 1949, to the Honorable Wallace E. Warner, Attorney General, has been received.

In your letter you refer to section 14-1109 of the 1943 Revised Code, pertaining to adoptions, which section provides that it is the duty of the public welfare board to make certain investigations.

You also call our attention to section 50-0109 of the 1943 Revised Code, relative to the duties of the county welfare board, and you request the opinion of this office as to whether the public welfare board, through its division of child welfare, may require a county welfare board, as its agent, to conduct investigations required under section 14-1109 and to prepare such reports as may be necessary to enable the division of child welfare to discharge its statutory obligations as set out in said section.

A careful study of the provisions contained in the statutory sections above-named leads us to an inescapable conclusion that the county welfare board is duty-bound to function in its respective county under the direction of the public welfare board of North Dakota. It clearly appears that the legislature intended that the county welfare boards should function in their respective counties and make the investigations as provided in section 14-1109 when requested so to do by the public welfare board.

WALLACE E. WARNER

Attorney General